

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/820,553)	
Confirmation : 8366)	
)	
Applicants : Fischer et al.)	
Filed : April 8, 2004)	
)	
Title: TRANSDERMAL DELIVERY SYSTEM (TDS) WITH ELECTRODE NETWORK)	
)	
Art Unit : 3767)	
Examiner : GILBERT, Andrew M.)	
)	
Atty Docket : 29473/11372A)	
Customer No. : 04743)	
)	

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Novosis Pharma AG (hereinafter "Assignee"), is the assignee of the entire right, title, and interest in the above-identified patent application and U.S. Patent No. 6,757,560, as shown by the assignment recorded on February 9, 2001, at Reel 011519, Frame 0494.

Assignee hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on this application extending beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,757,560, and hereby agrees that any patent so granted on this application shall be enforceable only for and during such period that said patents are commonly owned, this agreement to run with any patent granted on this application and to be binding upon assignee and its successors or assigns.

Assignee does not disclaim any terminal portion of any patent granted on this application prior to the expiration date of the full statutory term as defined in 35 U.S.C.

§§154 to 156 and 173 of U.S. Patent No. 6,757,560, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,757,560 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part or is terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

The documents establishing the assignee's chain of title have been reviewed by the undersigned and the undersigned certifies that, to the best of his knowledge and belief, title is in the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

July 7, 2006

By: /Michael Muczynski/ 48,642

Michael Muczynski (Reg. No. 48,642)
Attorney for Applicants
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
Phone: (312) 474-6300
Fax: (312) 474-0448